

021004

16805 U.S. PTO

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

22390 U.S. PTO  
10/775803

021004

Docket No.	823.0074USVX
Anticipated Classification of this Application	
Class:	Subclass:
Prior Application:	10/410,711 filed April 10, 2003
Examiner:	J.F. Vollano Art Unit: 1621
CUSTOMER NO.: 27623	

**Mail Stop Patent Application**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

Dear Sir:

This is a request for filing a continuation application under 37 CFR 1.53(b), of pending priority of U.S. patent application, Serial No. 10/410,711 filed on April 10, 2003 for CHIRAL PHOSPHINES, TRANSITION METAL COMPLEXES THEREOF AND USES THEREOF IN ASYMMETRIC REACTIONS, and of prior application, Serial No. 09/711,635 filed on November 10, 2000, (now U.S. Patent No. 6,576,772) for CHIRAL PHOSPHINES, TRANSITION METAL COMPLEXES THEREOF AND USES THEREOF IN ASYMMETRIC REACTIONS and Provisional Application Serial Numbers 60/164,508 filed on November 10, 1999 and 60/187,851 filed on March 8, 2000.

The filing fee is calculated below:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT BELOW				
FOR	NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE
				\$770.00
TOTAL CLAIMS	18 - 20 =	0	x \$18.00	\$0
INDEPENDENT CLAIMS	3 - 3 =	0	x \$86.00	\$0
MULTIPLE DEPENDENT CLAIM FEE			x \$290.00 =	
TOTAL FILING FEE			\$770.00	
1/2 FILING FEE FOR SMALL ENTITY			\$385.00	

1. XX A check in the amount of \$385.00 is enclosed.
2. XX The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or credit any overpayment, to **Deposit Account No. 01-0467**. A duplicate copy of this Form is enclosed.
3.      Cancel in this application original claim(s)                                      of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
4. XX A copy of the executed oath or declaration from U.S. Application Serial No. 09/711,635 filed November 10, 2000 is enclosed.
5.      A new oath or declaration, new formal drawings and an affidavit or declaration verifying it as a true copy is enclosed.

6. XX Amend the specification by deleting the cross reference paragraph before the Background of the Invention and substituting therefor the sentence: ---This application claims priority from Provisional Application Serial Numbers 60/164,508 filed on November 10, 1999 and 60/187,851 filed on March 8, 2000 and application serial no. 09/711,635 filed November 10, 2000, (now U.S. Patent No. 6,576,772) and application serial no. 10/410,711 filed April 10, 2003 which is a divisional of the application serial no. 09/711,635 filed on November 10, 2000.  
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7. XX The prior applications are assigned of record to: The Penn State Research Foundation.

8. XX The power of attorney in the prior application is to: Paul D. Greeley

a. The power appears in the original papers in the prior application.

b. Address all future communications to : **PAUL D. GREELEY, ESQ.**

**OHLANDT, GREELEY, RUGGIERO & PERLE, L.L.P.**  
**ONE LANDMARK SQUARE, 10<sup>th</sup> FLOOR**  
**STAMFORD, CONNECTICUT 06901-2682**  
**TELEPHONE: (203) 327-4500**  
**TELEFAX: (203) 327-6401**

9. XX A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

10. XX Priority of Provisional Application Serial Numbers 60/164,508 filed on November 10, 1999 and 60/187,851 filed on March 8, 2000 and U.S. application Serial Nos. 09/711,635 filed on November 10, 2000, (now U.S. Patent No. 6,576,772) and U.S. application Serial No. 10/410,711 filed on April 10, 2003, are claimed under 35 U.S.C. §120;

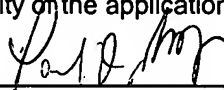
11. XX I hereby verify that the attached papers are a true copy of prior U.S. application serial no. 10/410,711 as originally filed on April 10, 2003.

12. XX One month extension of time is being filed simultaneously in parent U.S. application Serial No. 10/410,711 under separate cover.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

February 10, 2004

(Date)



Paul D. Greeley, Esq.

Ohlandt, Greeley, Ruggiero & Perle, L.L.P.

Reg. No. 31,019

Telephone: (203) 327-4500

Telefax: (203) 327-6401

#### CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Certificate No. **EL995625763US**, service under 37 CFR §1.10 and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 10, 2004.

Leslie Moscatello

(Typed name of person mailing paper)



(Signature of person mailing paper)